

CHRISTOPHER A. NEDEAU (CA SBN 81297)
 CARL L. BLUMENSTEIN (CA SBN 124158)
 VERONICA L. HARRIS (CA SBN 256120)
 NOSSAMAN LLP
 50 California Street, 34th Floor
 San Francisco, CA 94111
 Telephone: 415.398.3600
 Facsimile: 415.398.2438
cnedeau@nossaman.com
cblumenstein@nossaman.com
vharris@nossaman.com

Attorneys for defendants AU OPTRONICS CORPORATION
 and AU OPTRONICS CORPORATION AMERICA

[additional counsel listed on signature page]

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

ALFRED H. SIEGEL, AS TRUSTEE OF THE
 CIRCUIT CITY STORES, INC. LIQUIDATING
 TRUST,

Plaintiff,

v.

AU OPTRONICS CORPORATION; AU
 OPTRONICS CORPORATION AMERICA,
 INC.; CHI MEI CORPORATION; CHI MEI
 OPTOELECTRONICS CORPORATION; CHI
 MEI OPTOELECTRONICS USA, INC.; CMO
 JAPAN CO. LTD.; NEXGEN MEDIATECH,
 INC.; NEXGEN MEDIATECH USA, INC.;
 CHUNGHWA PICTURE TUBES LTD.;
 TATUNG COMPANY OF AMERICA, INC.;
 EPSON IMAGING DEVICES
 CORPORATION; EPSON ELECTRONICS
 AMERICA, INC.; HANNSTAR DISPLAY
 CORPORATION; LG DISPLAY CO. LTD.; LG
 DISPLAY AMERICA, INC.; SAMSUNG
 ELECTRONICS CO., LTD.; SAMSUNG
 SEMICONDUCTOR, INC.; SAMSUNG
 ELECTRONICS AMERICA, INC.; SHARP
 CORPORATION; SHARP ELECTRONICS;
 TOSHIBA CORPORATION;
 TOSHIBA AMERICA ELECTRONICS
 COMPONENTS, INC.;
 TOSHIBA MOBILE DISPLAY CO., LTD.;
 TOSHIBA AMERICA INFORMATION
 SYSTEMS, INC.; HITACHI, LTD.; HITACHI

CASE NO. 10-cv-5625 SI

Master File No. 07-md-1827 SI

MDL No. 1827 SI

**STIPULATION AND ~~PROPOSED~~ ORDER
 PERMITTING PLAINTIFF TO FILE
 SECOND AMENDED COMPLAINT**

1 DISPLAYS, LTD.; AND HITACHI
2 ELECTRONIC DEVICES (USA), INC.,
3 Defendants.

4
5 WHEREAS, plaintiff Alfred H. Siegel, as Trustee of the Circuit City Stores, Inc. Liquidating
6 Trust ("Circuit City Trust"), filed a complaint in the above-captioned case against defendants AU
7 Optronics Corporation, AU Optronics Corporation America, Chi Mei Corporation, Chi Mei
8 Optoelectronics Corporation, Chi Mei Optoelectronics USA, Inc., CMO Japan Co. Ltd., Chunghwa
9 Picture Tubes, Ltd., Nexgen Mediatech, Inc., Nexgen Mediatech USA, Inc., Epson Imaging Devices
10 Corporation, Epson Electronics America, Inc., HannStar Display Corporation, LG Display Co. Ltd., LG
11 Display America, Inc., Samsung Electronics Co., Ltd., Samsung Semiconductor, Inc., Samsung
12 Electronics America, Inc., Sharp Corporation, Sharp Electronics Corporation, Tatung Company of
13 America, Toshiba Corporation, Toshiba America Electronic Components, Inc., Toshiba Mobile Display
14 Co., Ltd., Toshiba America Information Systems, Inc., Hitachi, Ltd., Hitachi Displays, Ltd., and Hitachi
15 Electronic Devices (USA), Inc. (collectively "Stipulating Defendants") on December 10, 2010;

16 WHEREAS, Circuit City Trust and all Stipulating Defendants except Chunghwa Picture Tubes,
17 Ltd. and Tatung Company of America entered into a Stipulation of Extension of Time to Respond to
18 Complaint and Waiver of Service dated February 2, 2011, which provided that those defendants thereto
19 would accept service of the Complaint filed by Circuit City Trust and would have ninety (90) days in
20 which to respond to the Complaint (the "Initial Stipulation"). The Initial Stipulation was entered by the
21 Court on February 4, 2011 (Document 2410 in 3:07-md-01827).

22 WHEREAS, Circuit City Trust and Tatung Company of America entered into a Stipulation of
23 Extension of Time for Defendant Tatung Company of America to Respond to Complaint dated February
24 23, 2011, which provided that Tatung would have the same time period as provided in the Initial
25 Stipulation in which to respond to the Complaint filed by Circuit City Trust (the "Tatung Stipulation").
26 The Tatung Stipulation was entered by the Court on February 23, 2011 (Document 18 in 3:10-cv-
27 05625).

1 WHEREAS, on March 24, 2011, the Court entered an Order Granting Plaintiff's Motion for
2 Order to Serve Defendant Chunghwa Picture Tubes Through Its U.S. Counsel (Document 2584 in 3:07-
3 md-01827). Following that order, Circuit City Trust entered into a Stipulation of Extension of Time for
4 Defendant Chunghwa Picture Tubes to Respond to Complaint dated March 25, 2011, which provided
5 that Chunghwa would have the same time period as provided in the Initial Stipulation in which to
6 respond to the Complaint filed by Circuit City Trust (the "Chunghwa Stipulation"). The Chunghwa
7 Stipulation was entered by the Court on March 28, 2011 (Document 26 in 3:10-cv-05625).

8 WHEREAS, on May 5, 2011 Circuit City Trust filed its Amended Complaint, and defendants
9 filed a Motion to Dismiss on June 6, 2011.

10 WHEREAS, Circuit City Trust desires to file a Second Amended Complaint.

11 WHEREAS, in order to avoid potentially redundant motion practice, briefing and/or responsive
12 pleadings, Circuit City Trust and Stipulating Defendants agree and so stipulate that the Second
13 Amended Complaint should be filed and the Stipulating Defendants should have thirty (30) days from
14 the date on which it is filed to move to dismiss, answer or otherwise respond to the Second Amended
15 Complaint. Circuit City Trust and the Stipulating Defendants believe that proceeding in this way will
16 create efficiency for the Court and all parties.

17 THEREFORE, Circuit City Trust and Stipulating Defendants hereby agree:

- 18 1. The Circuit City Trustee may file a Second Amended Complaint on or before June 27,
19 2011;
- 20 2. The pending Motion to Dismiss will be withdrawn; and
- 21 3. Defendants will have thirty (30) days from the date on which the Second Amended
22 Complaint is filed and accepted for filing by the Court in which to move to dismiss, answer or otherwise
23 respond to the Amended Complaint, with an Opposition to be filed 14 days after the filing and service of
24 the Motion, with a Reply to be filed 10 days after the filing and service of the Opposition.

25 Plaintiff and Stipulating Defendants further and jointly respectfully request that the Court enter
26 this stipulation as an order.

27 ///

28 ///

1 SO STIPULATED:

NOSSAMAN LLP

2 Dated: June 22, 2011

3 By: s/Christopher A. Nedeau

4 Christopher A. Nedeau

5 Christopher A. Nedeau (Bar No. 81297)
6 50 California Street, 34th Floor
7 San Francisco, CA 94111
8 Tel: (415) 398-3600
9 Fax: (415) 398-2438

10 Attorneys for Defendants
11 AU OPTRONICS CORPORATION AND
12 AU OPTRONICS CORPORATION
13 AMERICA

14 SUSMAN GODFREY L.L.P.

15 By: s/Kenneth S. Marks

16 Kenneth S. Marks

17 Kenneth S. Marks (*PRO HAC VICE*)
18 1000 Louisiana Street, Suite 5100
19 Houston, Texas 77002
20 (713) 653-7854 (Direct)
21 (713) 654-3381 (Fax)

22 Attorneys for Plaintiff ALFRED H. SIEGEL,
23 AS TRUSTEE OF THE CIRCUIT CITY
24 STORES, INC. LIQUIDATING TRUST
25
26
27
28

DAVIS POLK & WARDWELL LLP

By: s/Christopher B. Hockett
Christopher B. Hockett

Christopher B. Hockett (Bar No. 121539)
Neal A. Potischman (Bar No. 254862)
Sandra West (Bar No. 250389)
Samantha H. Knox (Bar No. 254427)
1600 El Camino Real
Menlo Park, California 94025
(650) 752-2000 / (650) 752-2111

Attorneys for Defendants
CHI MEI OPTOELECTRONICS CORP.
(sued as CHIMEI INNOLUX CORP.),
CMO JAPAN CO., LTD., and CHI MEI
OPTOELECTRONICS USA, INC.

GIBSON, DUNN & CRUTCHER LLP

By: s/Rachel S. Brass
Rachel S. Brass

Rachel S. Brass (Bar No. 219301)
555 Mission Street
San Francisco, CA 94105-2933
Tel: (415) 393-8200
Fax: (415) 393-8306

Attorneys for DefendantS
CHUNGHWA PICTURE TUBES, LTD.
and TATUNG COMPANY OF
AMERICA, INC.

MORRISON & FOERSTER LLP

By: s/Stephen P. Freccero

Stephen P. Freccero

Melvin R. Goldman (Bar No. 34097)
Stephen P. Freccero (Bar No. 131093)
Derek F. Foran (Bar No. 224569)
425 Market Street
San Francisco, CA 94105-2482
Tel: (415) 268-7000
Fax: (415) 268-7522

Attorneys for Defendants
EPSON IMAGING DEVICES
CORPORATION AND EPSON
ELECTRONICS AMERICA, INC.

K&L GATES LLP

By: s/Hugh F. Bangasser

Hugh F. Bangasser

Hugh F. Bangasser, (*Pro Hac Vice*)
Ramona M. Emerson, (*Pro Hac Vice*)
Christopher M. Wyant, (*Pro Hac Vice*)
Jeffrey L. Bornstein, Bar No. 99358
925 Fourth Avenue, Suite 290
Seattle, WA 98104
Tel: (206) 623-7580
Fax: (206) 623-7022

Attorneys for Defendants HANNSTAR
DISPLAY CORPORATION

MORGAN, LEWIS & BOCKIUS LLP

By: s/Kent M. Roger

Kent M. Roger

Kent M. Roger (Bar No. 95987)
One Market, Spear Street Tower
San Francisco, CA 94105
Tel: (415) 442-1140
Fax: (415) 442-1001

Attorneys for Defendants
HITACHI, LTD., HITACHI DISPLAYS,
LTD., HITACHI ELECTRONIC
DEVICES (USA), INC.

CLEARY GOTTlieb STEEN &
HAMILTON LLP

By: s/Michael R. Lazerwitz

Michael R. Lazerwitz

Michael R. Lazerwitz (*Pro Hac Vice*)
2000 Pennsylvania Avenue, NW
Washington, D.C. 20006
Tel: (202) 974-1500
Fax: (202) 974-1999

Attorneys for Defendants
LG DISPLAY CO., LTD., and LG
DISPLAY AMERICA, INC.

COVINGTON & BURLING LLP

By: s/Timothy C. Hester

Timothy C. Hester

Timothy C. Hester, (*Pro Hac Vice*)
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20006
Tel: (202) 662-6000
Fax: (202) 662-6291

Attorneys for Defendants
SAMSUNG ELECTRONICS AMERICA,
INC., SAMSUNG SEMICONDUCTOR,
INC., and SAMSUNG ELECTRONICS
CO., LTD.

PILLSBURY WINTHROP SHAW PITTMAN
LLP

By s/John M. Grenfell
John M. Grenfell

John M. Grenfell (State Bar No. 88500)
50 Fremont Street
San Francisco, CA 94105
Tel: (415) 983-1000
Fax: (415) 983-1200

Attorneys for Defendants
SHARP CORPORATION AND SHARP
ELECTRONICS CORPORATION

WHITE & CASE LLP

By: s/John H. Chung
John H. Chung

John H. Chung, (*Pro Hac Vice*)
1155 Avenue of the Americas
New York, NY 10036
Tel: (212) 819-8200
Fax: (212) 354-8113

Attorneys for Defendants
TOSHIBA CORPORATION, TOSHIBA
MOBILE DISPLAY TECHNOLOGY CO.,
LTD., TOSHIBA AMERICA
INFORMATION SYSTEMS, INC.,
TOSHIBA AMERICA ELECTRONIC
COMPONENTS, INC.

IT IS SO ORDERED.

Dated Entered: 6/22/11



The Honorable Susan Y. Illston
District Court Judge